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EXAMINER

MCCARTHY, CHRISTOPHER S

ART UNIT

PAPER NUMBER

2184

DATE MAILED: 09/18/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/617,140

Applicant(s)

PARK ET AL.

Examiner

Christopher S. McCarthy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/03/2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-7, 9-15, 19-21, 24 and 25 is/are allowed.
- 6) ☒ Claim(s) 1-3, 8, 16-18, 22 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: *Response to arguments*.

DETAILED ACTION

1. Claims 1, 8, 16-18, 22-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Dornier U.S. Patent 5,646,535, as cited in prior office action, which was mailed on 4/4/2003.
2. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dornier in view of Kang U.S. Patent 5,850,546, as cited in prior office action, which was mailed on 4/4/003.
3. Claims 4-7, 9-15, 19-21, 24, and 25 are allowed.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 8, 16-18, 22-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Dornier U.S. Patent 5,646,535.

As per claim 1, Dornier discloses a portable computer system comprising of an indicating device having a plurality of light emitting devices activated according to a signal from the portable computer system (column 1, lines 44-50); and a controller managing said indicating device to display power-on self-test (POST) codes in response to operating states of the portable

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computer system, (column 1, lines 44-50; column 1, line 66 – column 2, line 4; column 3, lines 45-53) the power-on self-test codes being generated in power-on self-test [codes] process by a basic input-output system (BIOS) of the computer system (column 3, lines 45-53).

As per claim 8, Dornier discloses the portable computer of claim 1, said controller connected to a data bus located internally in the portable computer (column 2, line 65 – column 3, line 4).

As per claim 16, Dornier discloses a method of displaying power-on self-test codes in a portable computer system, comprising the steps of starting a power-on self-test (column 1, lines 44-50); generating power-on self-test codes (column 1, lines 44-50; column 1, lines 62-66); outputting the power-on self-test codes to a microcomputer to display the power-on self-test codes (column 1, lines 44-50, wherein the microcomputer is inherent in the computer system of Dornier; testing each one of the elements of the portable computer system corresponding to the respective power-on self-test codes (column 3, lines 49-53); determining whether the test is performed in safety (column 4, lines 15-17); completing the power-on self-test process if the test is performed in safety an all of the elements (column 4, line s15-17); and interrupting the power-on self-test process if the test is not performed in safety in any element (column 4, lines 43-45).

As per claim 17, Dornier discloses the method of claim 16, with the outputted power-on self-test codes being displayed through an indicator having a plurality of light emitting diodes (LED) (column 1, lines 62-66), with each power-on self-test code corresponding to a specific light emitting diode (column 1, line 62 – column 2, line 12).

As per claim 18, Dornier discloses the method of claim 16, with said step of outputting the power-on self-test codes being made to an input-output port within the portable computer (column 3, line 66 – column 4, line 4).

As per claim 22, Dornier discloses the method of claim 16, the tested elements comprising a memory (column 3, lines 49-53; figure 3B, #3, #7), disk drive (column 3, lines 49-53; figure 3B, #10), and graphics controller (column 3, lines 49-53; figure 3B, #6).

As per claim 23, Dornier discloses the method of claim 16, with the lighting devices continually displaying the power-on self-test codes during the power-on self-test process (column 4, lines 36-40).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dornier in view of Kang U.S. Patent 6,434,696.

As per claim 2, Dornier does teach the indicating device, as described in claim 1 argument above. Dornier does not teach the portable computer system of claim 1, further comprising a key input device coupled to said controller, said key input activating a display of power-on self-test codes on the indicating device in response to a key input signal from the key input device. Kang does teach the portable computer system of claim 1, further comprising a key

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input device coupled to said controller, said key input activating a display of power-on self-test codes on the indicating device in response to a key input signal from the key input device (column 1, lines 61-64; column 2, lines 4-8). It would have been obvious to one of ordinary skill in the art in the art at the time the invention was made to combine the reboot method of Kang to the indicating device of Dornier. One of ordinary skill in the art would have been motivated to combine the reboot method of Kang to the indicating device of Dornier because a “warm boot” forces the computer into a ready state more quickly, as taught by Kang (column 1, lines 6-12; column 2, lines 8-12).

As per claim 3, Kang teaches the portable computer system of claim 2, with the key input device being a keyboard of the portable computer system (column 1, line 61 – column 2, line 1). It would have been obvious to one of ordinary skill in the art in the art at the time the invention was made to combine the reboot method, using the keyboard apparatus, of Kang to the indicating device of Dornier. One of ordinary skill in the art would have been motivated to combine the method of Kang to the indicating device of Dornier because a “warm boot” forces the computer into a ready state more quickly, as taught by Kang (column 1, lines 6-12; column 2, lines 8-12). Dornier teaches the further limitation each power-on self-test code corresponding to a specific light emitting device (column 1, line 62 – column 2, line 12).

Reasons for Allowance

3. Claims 4-7, 9-15, 19-21, 24, 25 are allowed.

As per claims 4, 19, 24-25, these claims are allowable due to inclusion of prior allowable subject matter.

As per claims 9, when the claim is read as a whole, the primary reason for allowance is the limitation of a selector sending either the indicating control signal or power-on self-test codes of the latch to said indicating device.

Response to Arguments

4. Applicant's arguments filed 7/3/2003 have been fully considered but they are not persuasive.

Applicant has argued that Dornier does not teach a *portable computer* as stated in the claim language of the present invention. The examiner respectfully disagrees. The applicant admits that Dornier does teach the use of a personal computer. The examiner contends that a personal computer encompasses the device of a *portable* computer. A portable computer is defined, by the examiner, as a computer that can be moved from one place to another without losing functionality. The personal computer used by Dornier can be transported and have the same capabilities in any end destination. Therefore, the examiner contends that the personal computer of Dornier fulfills the limitation of the present invention and the applicable rejections stand.

Applicant has argued that Dornier does not disclose *each power-on self-test code corresponding to a specific light emitting diode*. The examiner respectfully disagrees. In the invention of Dornier, each LED state is responsive to each part of a POST routine (column 1, line 62 – column 2, line 12). The examiner interprets each part of the POST routine to be equivalent to the code claimed in the present invention. Therefore, all applicable rejections stand.

Applicant has argued that neither Dornier nor Kang are *activating a display of power-on self-test codes on the indicating device in response to a key input*. Applicant argues that Kang does not teach activating the display, but only the process. The examiner respectfully disagrees. The examiner contends that when the system of Kang is reset, the entire system including the POST operations. Since the POST resets, the display LED's will also reset and activate a display as it did in the primary boot. Therefore, all applicable rejections stand.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. McCarthy whose telephone number is (703)305-7599. The examiner can normally be reached on M-F, 8 - 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoleil can be reached on (703)305-9713. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

csn
September 12, 2003


ROBERT BEAUSOLIEL
SUPERVISORY PATENT EXAMINER
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